

2023 MAR 16 A 11: 05

CINDY MURRAY

**RESOLUTION 2023-08**

**A RESOLUTION ESTABLISHING A FISCAL PLAN FOR THE ANNEXATION OF  
CERTAIN TERRITORY INTO THE CITY OF LAFAYETTE, INDIANA  
2023 CONCORD CROSSING – TIPPECANOE DEVELOPMENT II –  
DF PROPERTIES SUPER VOLUNTARY ANNEXATION**

WHEREAS, the Common Council of the City of Lafayette, Indiana is considering annexing certain territory into the City of Lafayette;

WHEREAS, the area to annexed is legally described in Appendix II of the attached Fiscal Plan;

WHEREAS, pursuant to Indiana Code 36-4-3-3.1(d), the Council is required to adopt a written fiscal plan prior to adoption of the annexation ordinance, Ordinance 2023-12;

WHEREAS, the required fiscal plan, attached hereto as Exhibit “A” (the “Fiscal Plan”) has been prepared and presented to the Common Council for consideration; and

WHEREAS, the Fiscal Plan has been reviewed and complies with the requirements of Indiana Code 36-4-3-13.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Lafayette, Indiana that the Fiscal Plan is hereby approved.

ADOPTED AND PASSED BY THE COMMON COUNCIL of the City of Lafayette, Indiana this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Lauren Ahlersmeyer, President

ATTEST:

\_\_\_\_\_  
Cindy Murray, City Clerk

Presented by me to the Mayor of the City of Lafayette, Indiana, on this \_\_\_\_ day  
of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Cindy Murray, City Clerk

This Resolution approved and signed by me on this \_\_\_\_ day of \_\_\_\_\_,  
2023.

\_\_\_\_\_  
Tony Roswarski, Mayor

ATTEST:

\_\_\_\_\_  
Cindy Murray, City Clerk

---

**ANNEXATION FISCAL PLAN  
FOR THE  
CITY OF LAFAYETTE**

**Concord Crossing Annexation  
March 10, 2023**

*Prepared by:*



## **TABLE OF CONTENTS**

	<b><u>Page(s)</u></b>
<b>Introduction</b>	<b>1 - 2</b>
<b>Section I</b>	<b>Area Description</b>
A.	Location, Area Size and Contiguity 3
B.	Current Land Use 3
C.	Zoning 3
D.	Current Population 3
E.	Real Property Assessed Valuation 3
<b>Section II</b>	<b>Non-Capital Services</b>
A.	Cost of Services 4
B.	Police Protection 4
C.	Fire Protection 4 - 5
D.	Street Maintenance 5
E.	Trash Collection and Recycling 5
F.	Storm Drainage 6
G.	Parks 6
H.	Governmental Administrative Services 6 - 7
<b>Section III</b>	<b>Capital Improvements</b>
A.	Cost of Services 8
B.	Water Service 8
C.	Wastewater Service 8
D.	Storm Water and Drainage 9
E.	Street Construction 9
<b>Section IV</b>	<b>Fiscal Impact 10</b>
<b>Section V</b>	<b>Assumed Indebtedness 11</b>
<b>Appendix I</b>	<b>Estimated Assessed Value and Tax Rate Impact 12</b>
	<b>Summary of Additional Costs Due to Annexation 13</b>
	<b>Parcel List 14</b>
<b>Appendix II</b>	<b>Map and Legal Description of Annexation Area</b>

## INTRODUCTION

The following fiscal plan (the "Fiscal Plan") is for the proposed annexation of parcels to the south and east of the existing corporate limits on the south side of Lafayette (the "Annexation Area"). The Annexation Area is adjacent to the City of Lafayette (the "City"). The requirements of the code mandate the development and adoption of a written fiscal plan and the establishment of a definite policy by resolution of the City Council. The Indiana Code 36-4-3-13(d) states that this fiscal plan must include and provide:

- 1) The cost estimates of planned services to be furnished to the territory to be annexed. The plan must present itemized estimated costs for each municipal department or agency;
- 2) The method or methods of financing the planned services. The plan must explain how specific and detailed expenses will be funded and must indicate the taxes, grants and other funding to be used;
- 3) The plan for the organization and extension of services. The plan must detail the specific services that will be provided and the dates the services will begin;
- 4) That planned services of a non-capital nature, including police protection, fire protection, street and road maintenance and other non-capital services normally provided within the corporate boundaries will be provided within one (1) year after the effective date of annexation and that they will be provided in a manner equivalent in standard and scope to those non-capital services provided in areas within the corporate boundaries regardless of similar topography, patterns of land use and population density;
- 5) That services of a capital improvement nature, including street construction, street lighting, sewer facilities, water facilities and storm water drainage facilities, will be provided to the annexed territory within three (3) years after the effective date of the annexation in the same manner as those services are provided to areas within the corporate boundaries, regardless of similar topography, patterns of land use and population density and in a manner consistent with federal, state and local laws, procedures and planning criteria;
- 6) The estimated effect of the proposed annexation on taxpayers in each of the political subdivisions to which the proposed annexation applies, including the expected tax rates, tax levies, expenditure levels, service levels and annual debt service payments in those political subdivisions for four (4) years after the effective date of the annexation;
- 7) The estimated effect the proposed annexation will have on municipal finances, specifically how municipal tax revenues will be affected by the annexation for four (4) years after the effective date of the annexation;

**INTRODUCTION**

- 8) Any estimated effects on political subdivisions in the county that are not part of the annexation and on taxpayers located in those political subdivisions for four (4) years after the effective date of the annexation; and
- 9) A list of all parcels of property in the annexation territory and the following information regarding each parcel:
  - (A) The name of the owner of the parcel.
  - (B) The parcel identification number.
  - (C) The most recent assessed value of the parcel.
  - (D) The existence of a known waiver of the right to remonstrate on the parcel.

This Fiscal Plan may include additional materials in connection with the foregoing. It was developed through the cooperative efforts of the City's various administrative offices and the City's financial advisors, Baker Tilly. This Fiscal Plan is the result of an analysis of the proposed Annexation Area.

The Annexation Area is contiguous to the City for the purposes of Indiana Code 36-4-3-1.5, and there is a written Fiscal Plan, herein provided, that has been approved by the City Council.

## SECTION I

### AREA DESCRIPTION

#### A. Location, Area Size and Contiguity

The proposed Annexation Area is located on the south and east sides of the existing corporate boundaries on the south side of the City. A map and legal description of the area to be annexed has been included in attached Appendix II.

The Annexation Area is approximately 163 acres. The perimeter boundary of the Annexation Area is more than 25% contiguous to the existing corporate boundaries of the City.

#### B. Current Land Use

The Annexation Area consists of vacant agricultural land, right-of-ways, and a residential property.

#### C. Zoning

Existing Zoning: General Business (GB), Light Industrial (I-1), Neighborhood Business (NB), Multi-Family Residential (R3), Single Family Residential (R1), and Flood Plain (FP)

Proposed Zoning: General Business (GB), Light Industrial (I-1), Neighborhood Business (NB), Multi-Family Residential (R3), Single Family Residential (R1), and Flood Plain (FP)

#### D. Current Population

The current population of the Annexation Area is estimated at 3. This figure was derived by multiplying the estimated number of households in the Annexation Area by the persons per household figure in the 2010 Census for Wea Township in Tippecanoe County.

Households	1
Population per household	3.12
Estimated Population	<u>3</u>

#### E. Real Property Assessed Valuation

The estimated net assessed valuation for land and improvements in the Annexation Area is \$556,800. This represents the assessed value as of January 1, 2022 for taxes payable 2023.

## SECTION II

### NON-CAPITAL SERVICES

#### **A. Cost of Services**

The current standard and scope of non-capital services being delivered within the City and the Annexation Area were evaluated by each municipal department to determine the personnel and equipment necessary to provide such non-capital services in a manner equivalent in standard and scope to services that are currently provided within the existing City's municipal boundary.

The City will provide all non-capital services to the Annexation Area within one (1) year after the effective date of the annexation in a manner equivalent in standard and scope to those non-capital services provided to areas within the City regardless of topography, patterns of land use, and population density.

#### **B. Police Protection**

The Tippecanoe County Sheriff's Department currently provides police protection and law enforcement services to the Annexation Area. However, all non-capital services of the Lafayette Police Department will be made available in the Annexation Area within 1 year of the effective date of this annexation and will be extended in a manner equivalent in standard and scope to the services provided to the other areas within the corporate boundaries of the City.

The City of Lafayette Police Department's primary purpose is the prevention of crime. The Police Department consists of four divisions with each one being commanded by a Captain. The Police Department consists of 148 sworn officers and 50 civilian support staff. The Police Department patrols within the boundaries of the City on a daily basis and responds to all alarm calls. In addition, the Police Department provides other services such as detection and apprehension of offenders, traffic control and preservation of civil order. The Police Department does not distinguish between different areas of the City. The same services are provided throughout the City. Due to the location and character of the Annexation Area, the City does not anticipate needing to hire additional officers as a result of the annexation. It is anticipated that an increase in fuel and vehicle maintenance will be necessary in the amount of \$100 (plus inflation) per year as a result of the annexation. The Police Department's budget within the City's General Fund will fund any additional costs.

#### **C. Fire Protection**

The Annexation Area is currently served by the Wea Township Volunteer Fire Department. However, all non-capital services of the Lafayette Fire Department ("L.F.D.") will be made available in the Annexation Area within 1 year of the effective date of this annexation and will be extended in a manner equivalent in standard and scope to the services provided to the other areas within the corporate boundaries of the City.



## SECTION II

(Cont'd)

### NON-CAPITAL SERVICES

#### **C. Fire Protection (Cont'd)**

The L.F.D. serves within the corporate boundaries of the City and Fairfield Township. The department consists of 137 professional firefighters and serves about 30 square miles with a population of over 68,000 people. The firefighter's schedule is split into 3 shifts and each firefighter works a 56-hour week. At any time there are 40 firefighters and officers on duty working under 1 Battalion Chief. The Central Office staff includes a Chief, Deputy Chief, an Assistant Chief of Fire Prevention, 4 Inspectors, a Fire Administrative Services Manager, and an Administrative Assistant. The L.F.D. provides fire and emergency medical response services to citizens within the City limits. Due to the location and character of the Annexation Area, the L.F.D. does not anticipate needing to hire additional employees as a result of the annexation. Increases in the L.F.D.'s budget are not anticipated as a result of the annexation.

#### **D. Street Maintenance**

All dedicated streets and county roads in the Annexation Area are currently maintained by Tippecanoe County. However, all non-capital services of the Lafayette Street Department will be made available in the Annexation Area within 1 year of the effective date of this annexation and will be extended in a manner equivalent in standard and scope to the services provided to the other areas within the corporate boundaries of the City.

The Lafayette Street Department is responsible for curbside leaf/limb pickup, street repairs, snow/ice removal, mowing, and storm damage cleanup. The Annexation Area contains approximately 0.109 miles of streets that the City will be responsible for maintaining. Currently, the City has 289.958 miles of streets. The City anticipates additional operating costs for supplies and repairs and maintenance of approximately \$100 (plus inflation) per year as a result of the annexation. The Local Road and Street and Motor Vehicle Highway Funds will fund any additional costs.

#### **E. Trash Collection and Recycling**

Tippecanoe County does not provide solid waste disposal to the Annexation Area. When necessary, this service would be provided to residents in the Annexation Area by private firms. A comprehensive survey was not undertaken, but based on available information, it appears as if private firms charge approximately \$60 or more per quarter for residential trash pick-up.

Within 1 year of the effective date of this annexation the City will provide garbage and recyclables collection services to residential properties with 4 units or less in the Annexation Area. The current cost for trash collection and recycling is covered through taxes and is not a separate charge. Due to the character of the Annexation Area, any additional costs to the City for trash collection services will be negligible.

## SECTION II

(Cont'd)

### NON-CAPITAL SERVICES

#### **F. Storm Drainage**

Storm water and drainage facilities throughout the Annexation Area will be consistent with the City's current storm water and drainage system throughout the City. The City and County have maintained their drainage areas very similarly, therefore it is not anticipated that there will be any additional cost to the City. Any future development in the area will have to have their storm water plan reviewed by the City Engineer and the MS4/Stormwater Department, and any associated storm water and drainage costs will be borne by the developers. Nevertheless, all non-capital services of the Engineering and MS4/Stormwater Departments will be made available in the Annexation Area within 1 year of the effective date of this annexation and will be extended in a manner equivalent in standard and scope to the services provided to the other areas within the corporate boundaries of the City.

#### **G. Parks**

There is currently a wide variety of developed parks located within the City. The City includes ten community parks, ten neighborhood parks, two riverfront parks and over twenty-seven miles of trails. The parks include amenities such as tennis courts, multi-age playgrounds, soccer fields, baseball fields, softball fields, basketball courts, picnic shelters, pickleball courts, ponds, paved walking trails, disc golf courses, horseshoe courts, a dog park, an outdoor roller-hockey rink, aquatic facilities, a recreation center and a municipal zoo.

It is anticipated that no additional parks will be added as a result of the annexation, therefore there will be no additional costs to the City. Nevertheless, all non-capital services of the Lafayette Parks and Recreation Department will be made available in the Annexation Area on the date the annexation becomes effective and will be extended in a manner equivalent in standard and scope to the services provided to the other areas within the corporate boundaries of the City.

#### **H. Governmental Administrative Services**

The City does not anticipate that the addition of the Annexation Area will result in a demand for Governmental Administrative Services that cannot be met by the existing staffing of the City's offices, agencies and departments. All non-capital services of the administration of the City will be made available in the Annexation Area on the date the annexation becomes effective and will be extended in a manner equivalent in standard and scope to the services provided to the other areas within the corporate boundaries of the City.

## SECTION II

(Cont'd)

### NON-CAPITAL SERVICES

#### **H. Governmental Administrative Services (Cont'd)**

The Governmental Administrative Services of the City include, but are not limited to, the services provided by the following:

- Mayor's Office
- City Council
- Controller's Office
- Human Resources
- Board of Public Works and Safety
- Board of Zoning Appeals
- Information Technology Department
- Human Relations Commission
- Economic Development Commission
- Redevelopment Commission
- Area Plan Commission
- Civil Service Commission

## SECTION III

### CAPITAL IMPROVEMENTS

#### **A. Cost of Services**

The Annexation Area was evaluated to determine the services and facilities required to provide the same type of services in the same manner as services that are currently provided within the existing City's corporate limits.

The City will provide the following capital services to the Annexation Area no later than three (3) years after the effective date of the annexation in the same manner as those capital services provided to areas within the City regardless of topography, patterns of land use and population density and in a manner consistent with federal, state and local laws, procedures and planning criteria. It is currently assumed that the annexation will be effective as soon as practically possible, but no later than December 31, 2023.

#### **B. Water Service**

A majority of the Annexation Area is currently not served by any water utility. The Lafayette Water Department provides water service in the immediately surrounding area and has the capacity and capability to serve the Annexation Area if and when connection is desired. The cost of these hook-ups will be based on equivalent dwelling unit charges and will be covered by the payment of availability, tap, and/or connection fees. It is important to note that the Water Utility is a separate proprietary fund of the City that maintains separate books and records, and extensions in service are typically borne by the respective property owner or developer. Regardless, all capital services of the Water Department will be made available to the Annexation Area within 3 years of the effective date of this annexation in the same manner as those services are provided to areas inside the corporate limits and in a manner consistent with federal, state and local laws, procedures and planning criteria.

#### **C. Wastewater Service**

The Annexation Area is currently not served by any wastewater utility. The Lafayette Wastewater Department provides wastewater service in the immediately surrounding area and has the capacity and capability to serve the Annexation Area if and when connection is desired. The cost of these hook-ups will be based on equivalent dwelling unit charges and will be covered by the payment of availability, tap, and/or connection fees. It is important to note that the Sewage Works is a separate proprietary fund of the City that maintains separate books and records, and extensions in service are typically borne by the respective property owner or developer. Regardless, all capital services of the Wastewater Department will be made available to the Annexation Area within 3 years of the effective date of this annexation in the same manner as those services are provided to areas inside the corporate limits and in a manner consistent with federal, state and local laws, procedures and planning criteria.

## SECTION III

(Cont'd)

### CAPITAL IMPROVEMENTS

#### **D. Storm Water and Drainage**

Storm water and drainage facilities throughout the Annexation Area will be consistent with the City's current storm water and drainage system throughout the City. Any future development in the area will have to have its storm water plan approved by the City, and any associated storm water and drainage costs will be borne by the developers, therefore it is not anticipated that there will be any additional cost to the City. Regardless, all capital storm water and drainage services of the City will be extended to the Annexation Area within 3 years of the effective date of this annexation in the same manner as those services are provided to areas inside the corporate limits and in a manner consistent with federal, state and local laws, procedures and planning criteria.

#### **E. Street Construction**

Construction of any new streets within the developments in the Annexation Area will be the responsibility of the appropriate developer in accordance with the applicable City Code. The existing streets within the Annexation Area are in very similar condition to existing City streets; it is not anticipated that any additional costs will be required to improve them to City standards. Regardless, all capital services of the Lafayette Street Department, including evaluation and construction services, will be extended to the Annexation Area within 3 years of the effective date of this annexation in the same manner as those services are provided to areas inside the corporate limits and in a manner consistent with federal, state and local laws, procedures and planning criteria.

## **SECTION IV**

### **FISCAL IMPACT**

As a result of this annexation, based on assessed values as of January 1, 2022, the net assessed value for the City is anticipated to increase by \$317,200, or approximately 0.0077%. The net impact of increasing the City's net assessed value will result in additional property tax revenues to the City, which may be used to offset the cost of providing services to the Annexation Area.

It is assumed that the effective date of this annexation will be as soon as practically possible, but no later than December 31, 2023. Based on the assumed effective date, Annexation Area property owners will not pay property taxes to the City until 2024 payable 2025, or until the parcels are no longer considered municipal tax-exempt due to their agricultural assessment. However, the City will begin providing non-capital municipal services to the property owners within one (1) year after the effective date of the annexation, and it will begin providing capital municipal services to the property owners within three (3) years after the effective date of the annexation.

It is anticipated that there will be minimal additional costs to the City as a result of the annexation. The additional costs are related to the Police Department and Street Department. The causes of the anticipated increased costs are discussed on the prior pages, and a summary of the costs is demonstrated in Appendix I.

It is anticipated that the City will realize an increase in its levy of approximately \$3,455 (\$2,659 net of circuit breaker) as a result of the annexation. However, the percentage increase in the levy will not exceed the percentage increase in the City's assessed value; therefore, there is not anticipated to be a tax rate increase as a direct result of this annexation. If there is a shortfall in revenue from the annexation, the services described in this plan can be provided using funds on hand.

Based on assumed annual growth factors as noted on page 12, the additional levy will be approximately \$3,652 (\$2,856 net of circuit breaker) in 2026, \$3,856 (\$3,061 net of circuit breaker) in 2027 and \$4,061 (\$3,265 net of circuit breaker) in 2028. Estimated circuit breaker losses in each of the first four years following annexation for taxing units other than the City are as follows: \$296 for the county, \$11 for the township, \$620 for the school, \$41 for the library, \$34 for the transport, and \$2 for the solid waste.

## **SECTION V**

### **ASSUMED INDEBTEDNESS**

As required by Indiana Code 36-4-3-10, the City will assume and pay any unpaid bonds or other obligations of Wea Township existing at the effective date of the annexation of the Annexation Area in the same ratio as the assessed valuation of the property in the Annexation Area bears to the assessed valuation of all property in Wea Township, as shown by the most recent assessment for taxation before the annexation, unless the assessed property within the City is already liable for the indebtedness.

Wea Township currently has General Obligation Bonds of 2020 with \$977,000 outstanding at an interest rate of 1.74%. Payments are due semi-annually on June 30th and December 30th and will be paid off on December 30, 2030. As a result of the annexation, the City will be responsible for 0.091% of the remaining loan payments made during or after budget year 2025.

## **Appendix 1**



# CITY OF LAFAYETTE, INDIANA

## Concord Crossing Annexation

### ESTIMATED ASSESSED VALUE AND TAX RATE IMPACT

(Assumes first year of tax collections from Annexation Area is 2024 pay 2025)

Assessment Year	Estimated Net Assessed Value of Annex. Area (1)	Estimated Net Assessed Value of City (2)	Total Est. Net Assessed Value of City (3)	Est. Property Tax Levy of City (4),(5)	Total Est. Property Tax Rate (6)
2022 Pay 2023	N/A	\$3,821,672,405	\$3,821,672,405	\$42,993,814	\$1.1250
2023 Pay 2024	N/A	3,974,539,301	3,974,539,301	45,326,380	1.1404
2024 Pay 2025	\$317,200	4,133,520,873	4,133,838,073	47,876,889	1.1582
2025 Pay 2026	317,200	4,298,861,708	4,299,178,908	50,525,427	1.1752
2026 Pay 2027	317,200	4,470,816,176	4,471,133,376	53,275,945	1.1916
2027 Pay 2028	317,200	4,649,648,823	4,649,966,023	56,028,380	1.2049

- (1) Based on the current net assessed value of the real property, less municipal tax-exempt land due to its 100% agricultural assessment, in the Annexation Area as gathered from the Tippecanoe County Assessor's office.
- (2) Assumes the assessed value for the City of Lafayette, excluding the Annexation Area, grows at a rate of 4%.
- (3) Represents the net assessed value for the City, including the Annexation Area, used to calculate the tax rate.
- (4) Assumes controlled property tax levies increase at an annual growth factor of 5.6% for 2024, 5.8% for 2025, 5.7% for 2026, 5.6% for 2027, and 5.3% for 2028. Assumes the park bond levy remains constant. Also, assumes that the CCD rate remains constant, which results in additional levy due to NAV growth.
- (5) Assumes the City receives an automatic increase in its levy equal to its percentage increase in net assessed value as a result of the annexation.
- (6) Based on the Est. Property Tax Levy of City divided by the Total Est. Net Assessed Value of City.

CITY OF LAFAYETTE, INDIANA

*Concord Crossing Annexation*

**SUMMARY OF ADDITIONAL COSTS DUE TO ANNEXATION**  
(Non-Capital Services)

Department	Description of Costs	2023	2024	2025	2026	2027	Ref.
Street	Materials, supplies and repairs	\$ -	\$100	\$103	\$106	\$109	(1)
Police	Fuel and repairs	-	100	103	106	109	(1)
	Township debt	-	-	120	120	120	
	Totals	\$ -	\$200	\$326	\$332	\$338	

(1) Assumes a 3% inflationary adjustment for years 2025 - 2027.

	Summary of Net Impact				
	2023	2024	2025	2026	2027
Estimated levy increase (net of circuit breaker)	\$ -	\$ -	\$2,659	\$2,856	\$3,061
Estimated CCD levy increase	-	-	159	159	159
Estimated additional costs	-	(200)	(326)	(332)	(338)
Net Impact	\$ -	(\$200)	\$2,492	\$2,683	\$2,882

(2) Assumes the CCD rate remains constant, which results in additional levy from added Annexation Area NAV.

**CITY OF LAFAYETTE, INDIANA**

*Concord Crossing Annexation*

**PARCEL LIST**

<u>Parcel ID</u>	<u>Owner</u>	<u>'22 Pay '23 Net Assessed Value</u>	<u>Remonstrance Waiver</u>
79-11-10-400-011.000-031	Concord Crossing, LLC	\$ 97,900	No
79-11-10-400-012.000-031	Concord Crossing, LLC	- *	No
79-11-10-400-009.000-031	Concord Crossing, LLC	48,400	No
79-11-10-400-001.000-031	DF Properties, LLP	82,800	No
79-11-11-300-002.000-031	DF Properties, LLP	4,400	No
79-11-10-400-004.000-031	Farrell, Robert O & Melia A	317,200	No
79-11-10-400-010.000-031	Tippecanoe Development II, LLC	6,100	No
Total		<u>\$ 556,800</u>	

\*This parcel was recently split from parcel ID 79-11-10-400-001.000-031 and it's value is still included in that parcel's total.

## **Appendix II**

# Concord Crossing – Tippecanoe Development II - DF Properties City of Lafayette Annexation

---

## Legal Description

### See Exhibit for Included Properties

A part of the South half of Section 10 and a part of the Southwest Quarter of Section 11, all in Township 22 North, Range 4 West, Wea Township, Tippecanoe County, Indiana, being more completely described as follows:

BEGINNING at a Berntsen Disk Monument marking the south quarter corner of said Section 10; thence South 89°35'30" West, along the south line of the Southwest Quarter of said Section 10, a distance of 55.00 feet to the western right-of-way of Concord Road as depicted on the plat's of Stones Crossing – Phase One of Section One as per the plat thereof recorded as Instrument Number 200303009694 and the plat of Stones Crossing-Section Three as per the plat thereof recorded as Instrument Number 200404021062 in the Office of the Recorder of Tippecanoe County, Indiana, thence North 00°46'36" West, along said western right-of-way, 916.14 feet to the City of Lafayette Corporation Limits as described in Ordinance Number 2009-13, recorded as Instrument Number 200909025552 in said Recorder's Office; thence along said City of Lafayette Corporation Limits being coincident with the City of Lafayette real estate as described in Instrument Number's 200101005915 and 200101005916 in said Recorder's Office for the following eighteen (18) courses; 1) South 17°28'33" East, 17.40 feet; 2) South 06°29'14" East, 150.75 feet; 3) South 00°46'40" East, 150.00 feet; 4) South 31°44'26" East, 29.15 feet; 5) North 89°13'24" East, 20.00 feet to the west line of the Southeast Quarter of said Section 10; 6) North 89°13'24" East, 20.00 feet; 7) North 30°11'13" East, 29.15 feet; 8) North 00°46'36" West, 150.00 feet; 9) North 06°20'54" East, 201.56 feet; 10) North 21°01'29" East, 53.85 feet; 11) North 00°46'36" West, 80.00 feet; 12) North 45°46'36" West, 28.28 feet; 13) North 06°29'14" West, 10.04 feet; 14) North 06°29'14" West, 140.71 feet; 15) North 00°46'36" West, 150.00 feet; 16) North 09°18'27" West, 101.12 feet; 17) North 22°34'41" West, 26.93 feet; 18) South 89°13'24" West, 20.00 feet to the west line of said Section 10; thence North 00°46'36" West, along said west line, 887.69 feet to the City of Lafayette Corporation Limits as depicted in Ordinance Number 97-14 Amended, recorded as Instrument Number 199709714396 in said Recorder's Office; thence along said City of Lafayette Corporation Limits being coincident with the eastern right-of-way of Concord Road and the southern right-of-way of County Road 350 South as depicted on a ALTA/NSPS Land Title Survey prepared by Vester and Associates, Job No. 21310 and recorded as Instrument Number 202222007912 in said Recorder's Office for the following twelve (12) courses; 1) North 89°13'18" East, 28.00 feet; 2) North 10°31'54" East, 61.19 feet; 3) North 04°24'58" East, 110.45 feet; 4) North 34°13'34" East, 34.50 feet; 5) North 87°14'05", 130.10 feet; 6) South 89°48'01" East, 199.97 feet; 7) North 89°26'00" East, 200.00 feet; 8) South 87°42'15" East,

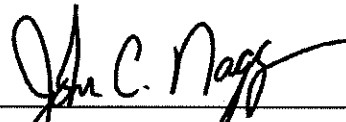
200.25 feet; 9) North 89°26'00" East, 600.00 feet; 10) South 89°10'59" East, 300.17 feet; 11) North 89°26'00" East, 200.00 feet; 12) South 87°42'15" East, 76.02 feet to the western right-of-way line of the C.C.C. & St. Louis Railroad as depicted on said Vester survey; thence South 58°42'48" East, along said right-of-way line, 999.25 feet; thence South 00°45'30" East, along the eastern line of the DF Properties, LLP real estate as recorded in Instrument Number 199909911257 and the eastern line of the Concord Crossing, LLC real estate as recorded in Instrument Number 202323001932 and depicted on a ALTA/NSPS Land Title Survey prepared by TBIRD Design Services Corp, Job No. 20010 and recorded as Instrument Number 202020008331 in the said Recorder's Office, 2075.11 feet to the south line of the Southwest Quarter of said Section 11; thence South 89°44'23" West, along said south line, 184.66 feet to a stone with chiseled "11" on the northeast face and broken chiseled "10" on the northwest face marking the Southeast Corner of Said Section 10; thence South 89°37'57" West, along the south line of the Southeast Quarter of said Section 10, a distance of 470.68 feet; thence along the bounds of the Benjamin Crossing Homeowners Association, Inc. real estate as described in Instrument Number 201919010265 in said Recorder's Office and depicted on said TBIRD Design Services Corp ALTA/NSPS Survey for the following three (3) courses; 1) thence northwesterly, along a non-tangent curve to the left, having a radius of 1,688.99 feet, a chord bearing North 73°59'45" West, 3.56 feet and an arc length of 3.56 feet; 2) thence continuing northwesterly along a reverse curve to the right having a radius of 1,085.00 feet, a chord bearing North 66°22'26" West, 290.08 feet and an arc length of 290.95 feet; 3) thence South 21°51'07" West, 128.50 feet to the south line of said Southeast Quarter; thence South 89°37'57" West, along said south line, 1,849.42 feet to the POINT OF BEGINNING; containing 163 acres, more or less.

The bearings used in this description are based on a ALTA/NSPS Land Title Survey prepared by TBIRD Design Services Corp, Job No. 20010 and recorded as Instrument Number 202020008331 in the said Recorder's Office.

**SURVEYOR'S CERTIFICATE:**

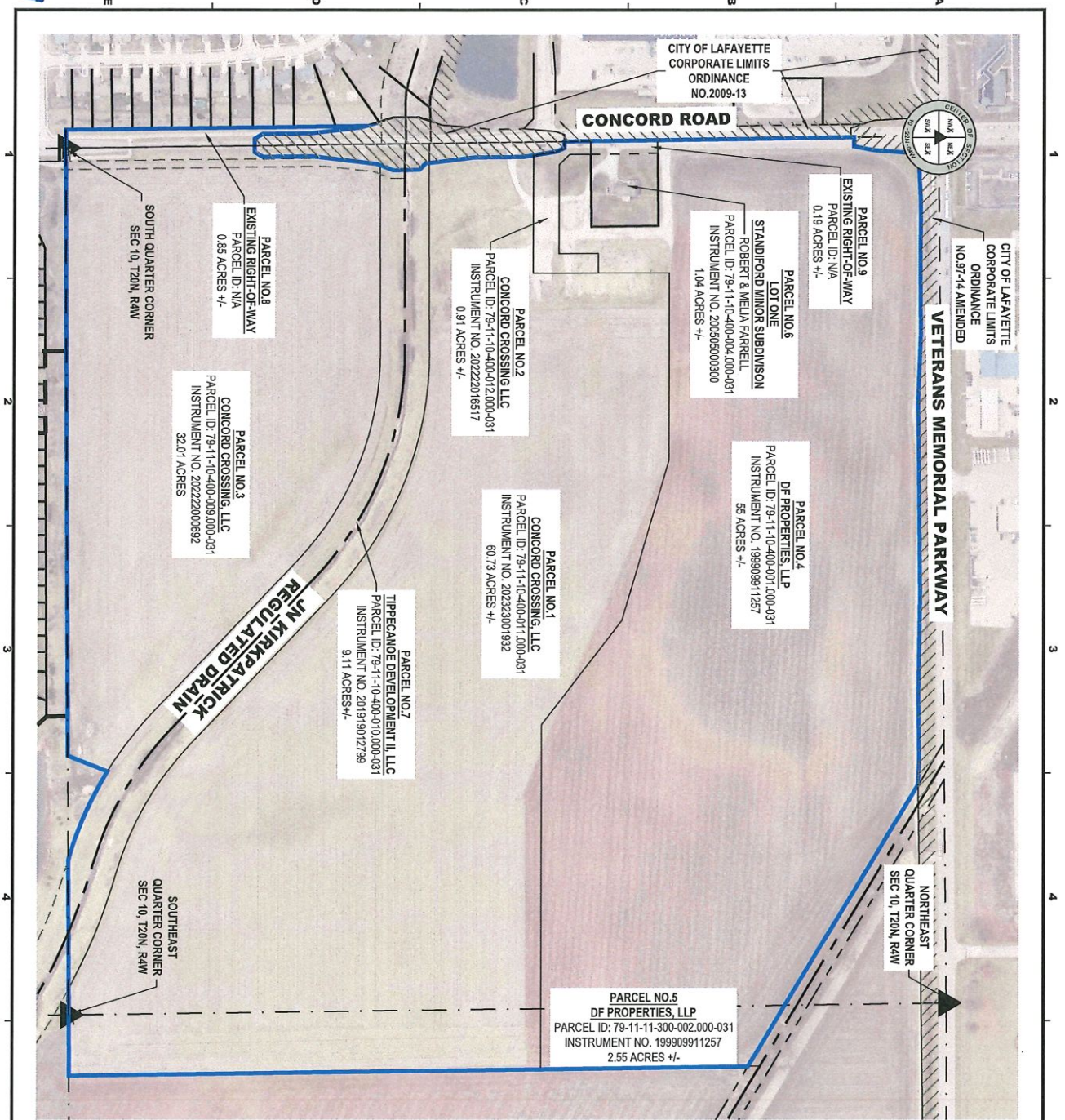
I, John C. Nagy, a Registered Professional Land Surveyor of the State of Indiana, do hereby certify that the above legal description was prepared by me or under my direct supervision. I further certify that the total area of land proposed for voluntary annexation after exception and described above is 163 acres, more or less.

CERTIFIED BY: \_\_\_\_\_

  
John C. Nagy, PS # 20100040  
TBIRD Design Services Corp.  
Project Number 20010.3







PARCELS		
ID	TITLE HOLDER	ACRES
1	CONCORD CROSSING, LLC INSTRUMENT NO. 202223001932	60.73 ACRES +/-
2	CONCORD CROSSING, LLC INSTRUMENT NO. 20222016517	0.91 ACRES +/-
3	CONCORD CROSSING, LLC INSTRUMENT NO. 20222000692	32.01 ACRES +/-
4	DF PROPERTIES, LLP INSTRUMENT NO. 199909911257	55 ACRES +/-
5	DF PROPERTIES, LLP INSTRUMENT NO. 199909911257	2.55 ACRES +/-
6	STANDFORD MINOR SUBDIVISION ROBERT & MELIA FARRELL INSTRUMENT NO. 200505000300	1.04 ACRES +/-
7	TIPPECANOE DEVELOPMENT II, LLC INSTRUMENT NO. 201919012799	9.11 ACRES +/-
8	EXISTING RIGHT-OF-WAY	N/A
9	EXISTING RIGHT-OF-WAY	0.19 ACRES +/-

